REMARKS

In response to the Official Action mailed March 26, 2004, Applicants amend their application and request reconsideration. In this Amendment, claims 23 and 24 are added and claims 6 and 8 are canceled, so that claims 1-5, 7, and 9-24 remain pending. No new matter has been added.

An initialed copy of the 1449 form for the Information Disclosure Statement filed February 12, 2002, has not been received by the Applicants. Applicants respectfully request that the Examiner initial the 1449 form and return a copy to the Applicants.

Claims 23 and 24 are added to recite additional features of the invention. Claims 23 and 24 are supported by the patent application at page 18, line 10 to page 21, line 13.

Claims 7 and 19 are amended to correct typographical errors. Claim 1 is amended to include the limitations of now canceled claims 6 and 8.

The Official Action objected to claims 7, 8, and 19 for containing typographical errors. Those errors are corrected by this Amendment, thus rendering the objection moot.

Claims 1, 2, 5, 6, 9, and 16-19 are rejected as anticipated by Graham et al. ("Nonintrusive and Accurate Measurement of Unidirectional Delay and Delay Variation on the Internet," hereinafter Graham). That rejection is respectfully traversed.

Graham fails to teach all of the limitations of amended claim 1 and claim 19. With regard to amended claim 1, the Official Action contends that Graham teaches *comparing a field identifying the packet flow in the sent and received packet identifiers* because Graham combines a source and destination address for packets along with an IP frame type into a 32 bit descriptor (see item 7 of the Official Action). However, Graham does not disclose that the descriptor is used to identify a packet flow (see page 2, line 42 to page 3, line 9 of Graham). The Official Action appears to have improperly read more into the teachings of Graham than is actually present. For example, where there are more than one packet flows between a source and a destination, and those flows are of the same protocol, the descriptor of Graham could not distinguish between those multiple packet flows. Accordingly, the descriptor of Graham does not uniquely identify packet flows, and accordingly Graham cannot anticipate amended claim 1.

Similarly, with regard to claim 19, Graham fails to teach *a first data field containing data representing an identity of a packet flow*. As previously discussed, the descriptor of Graham does not represent an identity of a packet flow because the descriptor cannot distinguish between packet flows with the same source, destination, and protocol.

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Thus, Graham fails to teach all of the limitations of amended claim 1 and claim 19. Accordingly the rejection is erroneous and should be withdrawn.

Claims 3, 4, 8, 10, 11, 20, and 22 are rejected as unpatentable over Graham. That rejection is respectfully traversed.

As discussed above, Graham fails to teach or suggest all of the limitations of amended claim 1 and claim 19. Thus, Graham cannot teach or suggest all of the limitations of claims depending from amended claim 1 and claim 19. Accordingly, the rejection should be withdrawn.

Claims 7 and 21 are rejected as unpatentable over Graham in view of Request for Comments 2391 by the Internet Society (hereinafter RFC 2391). That rejection is respectfully traversed.

As discussed above, Graham fails to teach or suggest all of the limitations of amended claim 1 and claim 19. Thus, Graham cannot teach or suggest all of the limitations of claims depending from amended claim 1 and claim 19. Moreover, RFC 2391 fails to teach or suggest those limitations absent in Graham, namely identifying a packet flow. Accordingly, the rejection should be withdrawn.

Claims 12 and 13 are rejected as unpatentable over Graham in view of Dickens (US Patent 5,806,063). That rejection is respectfully traversed.

As discussed above, Graham fails to teach or suggest all of the limitations of amended claim 1. Thus, Graham cannot teach or suggest all of the limitations of claims depending from amended claim 1. Moreover, Dickens fails to teach or suggest those limitations absent in Graham, namely identifying a packet flow. Accordingly, the rejection should be withdrawn.

With specific regard to claim 13, the combination of Graham and Dickens fails to teach or suggest *imposing a window that is smaller than the range of possible values of the rollover component of the received packet identifiers*. The Official Action concedes that the limitation is not taught or suggested by Graham or Dickens, and asserts that it would have been an obvious modification. However, the Official Action provides no objective evidence to support a motivation for such modification. In fact, the motivation for such modification lies only in the patent application itself. Accordingly, the rejection is erroneous and should be withdrawn.

Claims 14 and 15 are rejected as unpatentable over Graham in view of Tanenbaum ("Computer Networks"). That rejection is respectfully traversed.

As discussed above, Graham fails to teach or suggest all of the limitations of amended claim 1. Thus, Graham cannot teach or suggest all of the limitations of claims depending from amended

claim 1. Moreover, Tanenbaum fails to teach or suggest those limitations absent in Graham, namely identifying a packet flow. Accordingly, the rejection should be withdrawn.

With specific regard to claim 15, the combination of Graham and Tanenbaum fails to teach or suggest imposing a window that is smaller than the range of possible values of the rollover component of the received packet identifiers. The Official Action concedes that the limitation is not taught or suggested by Graham or Tanenbaum, and asserts that it would have been an obvious modification. However, the Official Action provides no objective evidence to support a motivation for such modification. In fact, the motivation for such modification lies only in the patent application itself. Accordingly, the rejection is erroneous and should be withdrawn.

With regard to new claims 23 and 24, none of the cited art, alone or in combination, teaches or suggests normalizing send timestamps and receive timestamps to account for a clock skew effect or analyzing the timestamps to determine whether a timer jump has occurred.

Reconsideration and withdrawal of the rejection, as well as prompt allowance of the pending claims, are earnestly solicited.

Respectfully submitted,

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